

02 February 2024

## **2010 Care Management, Provision of Services and Charging Guidance Policy**

**Request for regional or local guidance from the Department or the Belfast Trust as to how the 2010 Care Management, Provision of Services and Charging Guidance Policy is to be applied in practical terms.**

Please find copy attached

Please note that where redactions have been made, this information is exempt from release under S40(2) Personal Information relating to a third party and S38 Health and Safety.

With regards to Staff names, telephone numbers and email addresses, this information is exempt under Section 40(2) of the Freedom of Information Act 2000 which relates to personal information relating to a third party. Information of a personal nature is exempt from release where its disclosure would constitute a breach of the principles of the GDPR 2018.

This information is also exempt under Section S38 of the Freedom of Information Act 2000 which relates to Health and Safety. This is to protect staff from being targeted (for example on social media) and not to leave them exposed to harassment.

With regards to Individuals signatures, this information is exempt under Section 40(2) of the Freedom of Information Act 2000 which relates to personal information relating to a third party. Information of a personal nature is exempt from release where its disclosure would leave individuals open to identity theft and where its disclosure would constitute a breach of the principles of the GDPR 2018.

**Trust “Accompanying information” to explain and set out the parameters of the application of the 2010 Care Management, Provision of Services and Charging Guidance Policy.**

Please find copy attached

**Trust “Guidance” to explain and set out the parameters of the application of the 2010 Care Management, Provision of Services and Charging Guidance Policy**

Please find copy attached

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**Department of Health “Accompanying information” and/or “Guidance” to explain and set out the parameters of the application of the 2010 Care Management, Provision of Services and Charing Guidance Policy.**

This is not for the Trust to answer we would advise this to be redirected to the Department of Health as we cannot respond on their behalf.

**All steps taken by the Trust in response to the decision and comments made regarding the 2020 Policy following the decision of the High Court in Re Robert McMinnis.**

The decision and guidance from the High Court places the responsibility on DoH to consider and revise their guidance to Trusts. BHSCT continues to receive and acknowledge queries in relation to Continuing Healthcare. BHSCT maintains a database of queries and requests and will respond to each when guidance has been issued by DoH. The single question of eligibility guidance which was issued in 2020 has been withdrawn and BHSCT no longer use this eligibility question.

The Department of Health continue to consider the outcome of the judgement and the request that further guidance is issued to the Trusts to provide direction on development of policy and procedure in relation to CHC. BHSCT do not have a timescale for this response.

**All steps taken by the Department, directed towards or seeking to inform the Trust, regarding the 2020 Policy following the decision of the High Court in Re Robert McMinnis**

This is not for the Trust to answer we would advise this to be redirected to the Department of Health as we cannot respond on their behalf.